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FM AMEMBASSY CARACAS
TO RUEHC/SECSTATE WASHDC PRIORITY 3335
INFO RUEHBO/AMEMBASSY BOGOTA PRIORITY 6052
RUEHBR/AMEMBASSY BRASILIA PRIORITY 5211
RUEHBS/AMEMBASSY BRUSSELS PRIORITY 0420
RUEHBU/AMEMBASSY BUENOS AIRES PRIORITY 1029
RUEHCP/AMEMBASSY COPENHAGEN PRIORITY 0055
RUEHLP/AMEMBASSY LA PAZ PRIORITY 1699
RUEHPE/AMEMBASSY LIMA PRIORITY 9904
RUEHLI/AMEMBASSY LISBON PRIORITY 1345
RUEHLO/AMEMBASSY LONDON PRIORITY 0467
RUEHMU/AMEMBASSY MANAGUA PRIORITY 0997
RUEHFR/AMEMBASSY PARIS PRIORITY 0371
RUEHQD/AMEMBASSY QUITO PRIORITY 1771
RUEHSN/AMEMBASSY SAN SALVADOR PRIORITY 0796
RUEHSG/AMEMBASSY SANTIAGO PRIORITY 3281
RUEHTC/AMEMBASSY THE HAGUE PRIORITY 0835
RUEHAO/AMCONSUL CURACAO PRIORITY 0620
RUEHGL/AMCONSUL GUAYAQUIL PRIORITY 0312
RUEHMI/USOFFICE FRC FT LAUDERDALE PRIORITY 2852
RHEHNSC/NSC WASHDC PRIORITY
RUMIAAA/HQ USSOUTHCOM MIAMI FL PRIORITY
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C O N F I D E N T I A L SECTION 01 OF 03 CARACAS 000510

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HQSOUTHCOM ALSO FOR POLAD
DEPT PASS TO AID/OTI RPORTER
FRC FT LAUDERDALE FOR CLAMBERT
COPENHAGEN FOR DLAWTON

E.O. 12958: DECL: 02/24/2016

TAGS: PGOV KDEM VE

SUBJECT: CHAVEZ PUSHES A STEP CLOSER TO PRESIDENT FOR LIFE

REF: CARACAS 0298

Classified By: POLITICAL COUNSELOR ROBERT R. DOWNES FOR 1.4 (D)

Summary

¶1. (C) During his weekly *Alo Presidente* television show President Chavez warned that if the opposition decided not to participate in the December 3 presidential election, he would convoke a referendum on whether he should run for re-election in 2013. If approved, Chavez could overturn the constitutional ban on multiple re-election. The National Assembly, not surprisingly, supports the idea. Most opposition parties have rejected Chavez' intimidation and have called on him to improve electoral transparency. Accion Democratica Secretary General Henry Ramos Allup is using the statement to justify his party's inclination to boycott the presidential elections. Chavez' threat is the latest in a series of statements, most recently floated February 2 (ref a), declaring his intention to stay in office beyond the constitutionally-mandated two terms. It is probably only a matter of time before constitutional change to remove the term limitation, spurred either by him or the 100 percent Chavista legislature, is initiated. Any constitutional changes require passage of a national referendum to be effective. End Summary.

Chavez Threatens to Seek Multiple Re-election

¶2. (SBU) During his weekly *Alo Presidente* program February

19, President Chavez said that if the opposition did not participate in the December 3 presidential election, he would issue a decree calling for a consultative referendum on whether he should be allowed to run in 2013. If approved, that step would allow him to overturn the constitutional ban on multiple re-election. Chavez claimed the USG was trying to pull an "American" on him, which he described as trying to create support for an opposition candidate, then have that candidate withdraw at the last minute alleging unfair electoral conditions, and seek international support to delegitimize Chavez' victory. The referendum, he claimed, would give the opposition a lesson in true politics, and combat their plan to encourage voter abstention. While he initially referred to a referendum limited to seeking a third term in 2013, he later said that if the opposition did not have a candidate in 2006, they probably will not have one in 2012, 2018, nor 2024, thus implying he would try to stay in power until 2031.

¶3. (SBU) In addition to the threat, which he claimed was only an idea for now, Chavez directed a challenge to a specific opposition candidate (which he refused to name) to launch his candidacy. Chavez urged the challenger not to think too much or wait for too many people to beg him to run. He said he was waiting for him and hoped he would stay in the race until the end. He also chided the opposition for complaining about unfair electoral conditions equating their current situation with his own experience in 1998 and, most recently, Evo Morales' in Bolivia. (Note: By law, campaigns are not supposed to begin for another four months and the President has been criticized for undertaking purely electoral actions well in advance of that date.)

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National Assembly Supports Move

¶4. (SBU) Not surprisingly, members of the all-Chavista National Assembly (AN) applauded the idea. When asked about the questionable legality of Chavez seeking constitutional reform through a non-binding consultative referendum, second AN Vice President Robert Hernandez said the move was "democratic" and perfectly legal. Ruling Fifth Republic Movement (MVR) party AN deputy William Lara, speaking as head of the MVR's executive committee, said the MVR supported the idea. Lara described the idea as a legitimate way to goad the opposition into participating in a democratic process instead of seeking to destabilize the country by promoting abstention and preventing opponents from running in the election.

Attorney General Says Not So Fast

¶5. (SBU) Attorney General Isaias Rodriguez downplayed the threat as bravado typical of people from the Venezuelan plains ("llaneros") and dismissed it as only a hypothetical situation. In any event, he explained that it would take more than a decree to change the constitutional ban on re-election. Rodriguez explained that according to article 342 of the Constitution, the President cannot propose an amendment by decree.

Opposition Rejects Intimidation

¶6. (SBU) Venezuela's traditional opposition parties have rejected Chavez' attempt to intimidate them and attributed the threat to Chavez' fear of low voter turn out. Movement Toward Socialism Secretary General Leopoldo Puchi called the threat and Chavez' branding of the opposition as tools of Washington "unacceptable" and an attempt to "manipulate

public opinion." Puchi suggested that if Chavez really wants the opposition to participate in the election, he will allow an impartial National Electoral Council (CNE) that could restore voter confidence to be named. Accion Democratica Secretary General Henry Ramos Allup's response, on the other

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hand, suggested resignation to Chavez's increasingly authoritarian bent. Allup, whose party is playing toward abstentionists in an attempt to re-build its ranks, said the threat only proved that the currently skewed electoral conditions were unlikely to improve, and thus justified boycotting the election.

¶7. (SBU) Meanwhile, Primera Justicia (PJ), whose President Julio Borges is a declared presidential candidate, said Chavez was "mocking" the country as he knows that constitutional reform cannot occur by consultative referendum. The PJ spokesman also said the statement showed Chavez was clearly concerned about the possibility of high abstention December 3. Teodoro Petkoff, the undeclared candidate to which Chavez was most likely referring, said on February 22 that he would not rise to Chavez' bait and would decide, in his own time, if and when to launch his candidacy. Petkoff, a moderate leftist who is one of the leading potential opposition candidates, thought he would be the best

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choice to face off against Chavez in the election, but he admitted being reticent about running because of the serious lack of voter confidence in the electoral system.

Can he do it?

¶8. (SBU) According to article 342 of the Constitution, the President can propose constitutional changes to the National Assembly, which within two years must hold three debates and a vote on the proposal. If approved by a two-thirds majority, the proposal must be submitted to a popular referendum within 30 days of the AN vote. If more people vote for the proposal than against it, the Constitution is changed. Although Chavez implied he would consider issuing the decree if, by October or November, it appeared that the opposition would not participate in the election, if he submitted the proposal earlier, the referendum could occur by December 3. Likewise, by law, the National Assembly could propose and approve the changes in time for the presidential election.

Comment

¶9. (C) Chavez has long declared his intention to stay in office beyond the constitutionally-mandated limit of two terms and it is only a matter of time before constitutional change, spurred either by him or the 100 percent Chavista legislature, is pushed by the BRV. The main question is whether they will move forward this year or wait until after the election. Chavez often floats ideas before acting on them. His threat is the latest in a series of statements, most recently floated February 2 (ref a), to stay in power until at least 2021 to celebrate 50 years of leading his Bolivarian revolution (dating from his entry into the military academy), and possibly until 2031. The statement also signals an underlying concern about abstention, too. Chavez has set a goal for himself to be re-elected with 10 million votes and he may think that putting the revolution's long-term future on the line may encourage more supporters to turn out December 3, thus increasing the chances of him reaching a virtually impossible goal; at least virtually impossible without electoral manipulation.

WHITAKER